



**U.S. Department of Justice**

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August 15, 2006

The Honorable Gregory M. Sleet  
J. Caleb Boggs Federal Building  
844 N. King Street  
Room 4324  
Lockbox 19  
Wilmington, DE 19801

Re: *Delaware Audubon Society, et al. v. Secretary, U.S. Department of the Interior, CA No.06-223 (D. Del.)*

Dear Judge Sleet:

The purpose of this letter is to inform the Court on the status of ongoing settlement discussions between the parties in the above referenced matter.

The parties have reached an agreement in principle that will result in resolution of all matters between the parties in this matter. The parties are currently working on memorializing the agreement in writing.

As the Court is aware, the settlement agreement will still need to be approved by the appropriate officials at the Department of the Interior and Department of Justice. Although I do not anticipate any problems with those approvals, they will take some time. I am committed to acquiring those approvals as expeditiously as possible. Once the Settlement agreement is signed, I expect the parties to move for dismissal of this matter.

Very truly yours,

COLM F. CONNOLLY  
United States Attorney  
BY: Douglas E. McCann  
Douglas E. McCann  
Assistant United States Attorney

cc: Vivian Houghton, Esquire